

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

UNITED STATES OF AMERICA )  
v. ) Case No. 1:10-cr-46  
MICHAEL JOHNSON ) MATTICE / LEE  
                        )  
                        )

**O R D E R**

Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court:

(1) grant Defendant's motion to withdraw his not guilty plea to Counts One and Two of the three-count Indictment; (2) accept Defendant's plea of guilty to Counts One and Two of the Indictment; (3) adjudicate Defendant guilty of the charges set forth in Counts One and Two of the Indictment; (4) defer a decision on whether to accept the plea agreement until sentencing; and (5) Defendant has been released on bond under appropriate conditions of release pending sentencing in this matter without objection [Doc. 33]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 33] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw his not guilty plea to Counts One and Two of the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to Counts One and Two of the Indictment is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Counts One and Two of the Indictment;

(4) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing;  
and  
(5) Defendant **SHALL REMAIN** on bond under appropriate conditions of release  
pending sentencing in this matter without objection which is scheduled to take place  
on **Monday, August 16, 2010 at 9:00 a.m.** before the Honorable Harry S. Mattice,  
Jr.

**SO ORDERED.**

**ENTER:**

/s/Harry S. Mattice, Jr.  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE